

REGULAR MEETING  
BOROUGH COUNCIL  
BOROUGH OF RUMSON  
May 12, 2015

A regular meeting of the Borough Council of the Borough of Rumson was held in the Charles S. Callman Courtroom of Borough Hall on May 12, 2015.

Pledge of Allegiance.

Present: Mayor Ekdahl, Councilwoman Atwell, Councilmen Broderick, Conklin, Day and Rubin.

Absent: Councilman Hemphill.

Thomas S. Rogers, Municipal Clerk/Administrator, was present.

Martin M. Barger, Borough Attorney, was present.

Thomas Neff of T & M Associates was present.

The Mayor declared a quorum present and announced that the notice requirements of the Open Public Meetings Act had been met by the posting and mailing of a schedule of all regular and work meetings of the Borough Council for the year 2015 to the *Asbury Park Press* and the *Two River Times*.

On motion by Councilman Rubin, seconded by Councilman Day, the minutes of the April 14<sup>th</sup> and April 28<sup>th</sup> meetings were approved as written, copies having been forwarded to all Council members. All in favor.

**COMMUNICATIONS:**

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**LETTER FROM HOPE RICHARDSON ADVISING THAT SHE WOULD BE RETIRING AS THE FINANCE ASSISTANT ACCOUNTS PAYABLE/PAYROLL CLERK EFFECTIVE JUNE 30, 2015:**

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The Municipal Clerk/Administrator advised of the following letter from Hope Richardson dated May 8, 2015:

Dear Mayor Ekdahl and Council Members:

With mixed emotions, I tender my retirement from my position of Finance Assistant, effective July 1, 2015. I am grateful for having had this job for the past eight years, and it was exactly what I needed at the right time. Now I am hoping to have the time to pursue some passions that have been put on the back burner.

Thank you all for the opportunity to work for the town I have lived in and loved for most of my life.

Sincerely,

Hope H. Richardson

Councilman Rubin thanked Mrs. Richardson for her years of service and wished her all the best on her retirement.

On motion by Councilman Rubin, seconded by Councilman Broderick, this communication was ordered received and Mrs. Richardson's retirement was approved with regret. All in favor.

**CONSENT AGENDA:**

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**LETTER FROM MASER CONSULTING P.A. ADVISING OF AN APPLICATION ON BEHALF OF ROBERT MELLODY TO THE STATE OF NJ DEP FOR A WATERFRONT DEVELOPMENT PERMIT NO. 9 TO CONSTRUCT A DOCK ON A MAN-MADE LAGOON ON PROPERTY LOCATED AT 35 OAKES ROAD:**

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The Municipal Clerk/Administrator advised of a letter dated May 6, 2015 from Maser Consulting, P.A. on behalf of Robert Melloy. The letter advised of an application submitted to the State of New Jersey Department of Environmental Protection, Division of Land Use Regulation for a Waterfront Development Permit No. 9 to construct on a dock a man-made lagoon on property located at 35 Oakes Road.

**LETTER FROM MASER CONSULTING P.A. ADVISING OF AN APPLICATION ON BEHALF OF JOHN RYAN TO THE STATE OF NJ DEP FOR A WATERFRONT DEVELOPMENT PERMIT FOR THE CONSTRUCTION OF A FLOATING DOCK ON PROPERTY LOCATED AT 16 RIVERSIDE DRIVE:**

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The Municipal Clerk/Administrator advised of a letter dated May 7, 2015 from Maser Consulting, P.A. on behalf of John Ryan. The letter advised of an application submitted to the State of New Jersey Department of Environmental Protection, Division of Land Use Regulation for a Waterfront Development Permit for the construction of a floating dock on property located at 16 Riverside Drive.

On motion by Councilman Day, seconded by Councilman Broderick, the two (2) communications on the Consent Agenda were ordered received. All in favor.

**COMMITTEE REPORTS:**

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None.

**UNFINISHED BUSINESS:**

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None.

**NEW BUSINESS:**

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**RESOLUTION 2015-0512-73 DETERMINING TO READ THE 2015 MUNICIPAL BUDGET BY TITLE ONLY:**

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**2015-0512-73**

Councilman Broderick offered the following resolution and moved its adoption:

**RESOLUTION DETERMINING TO READ 2015 BUDGET BY TITLE**

WHEREAS, the Rumson Borough Municipal Budget for 2015 was introduced and approved by the Governing Body at its meeting on April 28, 2015; and

WHEREAS, the budget will be advertised at least 10 days prior to the hearing date of May 26, 2015; and

WHEREAS, at least one week prior to the hearing date a complete copy of the approved budget shall be made available for public inspections in the Oceanic Free Library and the Monmouth County Library Eastern Branch; and

WHEREAS, Thomas S. Rogers, Municipal Clerk, has attested delivery of the 2015 Rumson Municipal Budget to both the Oceanic Free Library and Monmouth County Library Eastern Branch; and

WHEREAS, at least one week prior to the hearing date a complete copy will be made available to each person requesting the same, during said week and during the public hearing;

NOW, THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of Rumson that, pursuant to N.J.S.A. 40A:4-8, the 2015 Municipal Budget shall be read by its title, the conditions of publication referred to earlier in this resolution having been met.

Resolution seconded by Councilman Rubin and carried on the following roll call vote:

In the affirmative: Atwell, Broderick, Conklin, Day and Rubin.

In the negative: None.

Absent: Hemphill.

**RESOLUTION 2015-0512-74 AUTHORIZING THE BOROUGH'S SELF-EXAMINATION OF THE 2015 BOROUGH BUDGET:**

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**2015-0512-74**

**BOROUGH OF RUMSON  
RESOLUTION**

WHEREAS, N.J.S.A. 40A:4-78b has authorized the Local Finance Board to adopt rules that permit municipalities in sound fiscal condition to assume the responsibility, normally granted to the Director of the Division of Local Government Services, of conducting the annual budget examination; and

WHEREAS, N.J.A.C. 5:30-7 was adopted by the Local Finance Board of February 11, 1997; and

WHEREAS, pursuant to N.J.A.C. 5:30-7.2 thru 7.5 the Borough of Rumson has been declared eligible to participate in the program by the Division of Local Government Services, and the Chief Financial Officer has determined that the Borough meets the necessary conditions to participate in the program for the 2014 budget year;

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Rumson that in accordance with N.J.A.C. 5:30-7.6 a & b and based upon the Chief Financial Officer's certification, the governing body has found the budget has met the following requirements:

1. That with reference to the following items, the amounts have been calculated pursuant to law and appropriated as such in the budget:
  - a. Payment of interest and debt redemption charges
  - b. Deferred charges and statutory expenditures
  - c. Cash deficit of preceding year
  - d. Reserve for uncollected taxes
  - e. Other reserves and non-disbursement items
  - f. Any inclusions of amounts required for school items
2. That the provisions relating to limitation on increases of appropriations pursuant to N.J.S.A. 40A:4-45.2 and appropriations for exceptions to limits on appropriations found at 40A:4-45.3 et seq. are fully met (Complies with the "CAP" law).
3. That the budget is in such form, arrangement, and content as required by the Local Budget Law and N.J.A.C. 5:30-4 and 5:30-5.
4. That pursuant to the Local Budget Law:
  - a. All estimates of revenue are reasonable, accurate, and correctly stated,
  - b. Items of appropriation are properly set forth
  - c. In itemization, form, arrangement, and content the budget will permit the exercise of the comptroller function within the municipality.
5. The budget and associated amendments have been introduced and publicly advertised in accordance with the relevant provisions of the Local Budget Law, except that failure to meet the deadlines of N.J.S.A. 40A:4-5 shall not prevent such certification.
6. That all other applicable statutory requirements have been fulfilled.

BE IT FURTHER RESOLVED that a copy of this resolution be forwarded to the Director of the Division of Local Government Services.

The above resolution was moved by Councilman Rubin, seconded by Councilman Broderick and carried on the following roll call vote:

In the affirmative: Atwell, Broderick, Conklin, Day and Rubin.

In the negative: None.

Absent: Hemphill.

**TEMPORARY EMERGENCY APPROPRIATIONS RESOLUTION 2015-0512-75:**

## 2015-0512-75

Councilman Rubin offered the following resolution and moved its adoption:

WHEREAS, the temporary appropriations previously adopted will be inadequate to the point when the 2015 Budget will be finally adopted; and

WHEREAS, N.J.S.A. 40A:4-20 states that the Governing Body may, by resolution adopted by a 2/3 vote of full membership, make emergency temporary appropriations for any purposes for which appropriations may lawfully be made for the period between the beginning of the current fiscal year and the date of the adoption of the budget for said year;

BE IT RESOLVED by the Mayor and Council of the Borough of Rumson that the following emergency temporary appropriations, in addition to the temporary appropriations already adopted, be adopted, and it is stated that these emergency temporary appropriations shall be included in the 2015 Budget when adopted.

BE IT FURTHER RESOLVED that a certified copy of this Resolution be forwarded to the Borough Chief Financial Officer, and the Director of the Division of Local Government Services.

Administration – Salary & Wages	\$ 6701.68
Administration – Other Expenses	\$ 5,000.00
Municipal Clerk – Salary & Wages	\$ 6,096.03
Finance – Salary & Wages	\$ 5,114.00
Finance – Other Expenses	\$ 500.00
Tax Collections – Salary & Wages	\$ 2,815.87
Tax Assessment – Salary & Wages	\$ 1,907.74
Legal – Other Expenses	\$ 10,000.00
Planning Board – Salary & Wages	\$ 418.68
Planning Board – Other Expenses	\$ 500.00
Zoning Board – Salary & Wages	\$ 418.68
Zoning Board – Other Expenses	\$ 250.00
Zoning Officer – Salary & Wages	\$ 1,830.56
Plumbing Inspector – Salary & Wages	\$ 823.55
Electrical Inspector – Salary & Wages	\$ 1,525.24
Fire Protection – Salary & Wages	\$ 425.00
Fire Sub-Code Salary & Wages	\$ 231.25
Construction – Salary & Wages	\$ 3,819.83
Construction – Other Expenses	\$ 32,500.00
Police – Salary & Wages	\$ 74,745.63
First Aid – Salary & Wages	\$ 215.50
Fire – Salary & Wages	\$ 402.25
Municipal Prosecutor – Salary & Wages	\$ 160.00
Streets & Roads – Salary & Wages	\$ 26,695.24
Streets & Roads – Other Expenses	\$ 7,500.00
Sewer – Other Expenses	\$ 2,500.00
Sanitation – Salary & Wages	\$ 9,550.14
Recycling – Salary & Wages	\$ 1,873.05
Buildings & Grounds – Salary & Wages	\$ 1,708.10
Buildings & Grounds – Property Lease	\$ 1,179.35
Board of Health – Salary & Wages	\$ 269.99
Board of Health – Contractual	\$ 12,755.00
Animal Control – Salary & Wages	\$ 170.06
Municipal Court – Salary & Wages	\$ 1,889.91
Public Defender – Salary & Wages	\$ 105.09
Employee Group Health Insurance	\$110,000.00
General Liability Insurance	\$189,215.00
Fair Haven Interlocal – Salary & Wages	\$ 933.65

Resolution seconded by Councilwoman Atwell and carried on the following roll call vote:

In the affirmative: Atwell, Broderick, Conklin, Day and Rubin.

In the negative: None.

Absent: Hemphill.

**RESOLUTION 2015-0512-76 AUTHORIZING THE ADOPTION OF THE 2015 FLOOD PLAIN MANAGEMENT PLAN ELEMENT AS APPROVED BY THE RUMSON PLANNING BOARD:**

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The Municipal Clerk/Administrator stated that the Flood Plain Management Plan had been written with the help of Tom Neff of T & M Associates, who was sitting in for Borough Engineer Dave Marks at the Council meeting this evening, and that Mr. Neff did a great job of putting it all together. He added that the Plan had been adopted by the Rumson Planning Board at their April meeting and it needed to be adopted by the Borough Council.

**2015-0512-76**

**BOROUGH OF RUMSON  
IN THE COUNTY OF MONMOUTH, STATE OF NEW JERSEY**

**RESOLUTION ADOPTING THE BOROUGH'S  
FLOOD PLAIN MANAGEMENT PLAN**

WHEREAS, in the aftermath of the October 29, 2012 Superstorm Sandy event, the Governing Body and the Planning Board of the Borough of Rumson have determined that it is appropriate to prepare a Flood Plain Management Plan to be incorporated as an element of the Borough of Rumson's Master Plan; and

WHEREAS, the planning process was conducted through a Steering Committee consisting of members of the public and Borough employees and officials to work with the Borough and Planning Board professionals, including Thomas Neff, P.E., P.P., C.M.E., Stanley Slachetka, P.P. AICP, Martin Truscott, P.P., AICP, David Marks, P.E., CME, Bonnie L. Heard, P.E. to prepare the plan in accordance with the requirements outlined in the National Flood Insurance Program Community Rating System Coordinator's Manual; and

WHEREAS, the Flood Plain Management Plan provides an identification and assessment of flood hazards and impacts within the Borough, establishes goals and objectives for flood plain management and resiliency, and presents a series of actions and measures to minimize flooding and mitigate the impacts from flooding in the future; and

WHEREAS, a number of public meetings have been held over the last several months to discuss the proposed plan, and the Planning Board of the Borough of Rumson adopted the Flood Plain Management Plan on April 13, 2015;

NOW THEREFORE BE IT RESOLVED, by the Governing Body of the Borough of Rumson, in the County of Monmouth and State of New Jersey on this 12<sup>th</sup> day of May, 2015 that the Governing Body supports the decision of the Planning Board and adopts the 2015 Flood Plain Management Plan, dated March 2015.

The above Resolution was moved for adoption by Councilman Rubin. Motion seconded by Councilman Day and carried on the following roll call vote:

In the affirmative: Atwell, Broderick, Conklin, Day and Rubin.

In the negative: None.

Absent: Hemphill.

**RESOLUTION 2015-0512-77 AUTHORIZING THE MAYOR AND MUNICIPAL CLERK/  
ADMINISTRATOR TO SIGN A CONTRACT WITH HOFFMAN INTERNATIONAL, INC.  
FOR THE PURCHASE OF A 2015 MINI EXCAVATOR:**

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**2015-0512-77**

Councilman Broderick offered the following resolution and moved its adoption:

## RESOLUTION

WHEREAS, three (3) sealed bids were received on April 23, 2015 for one Mini Excavator; and

WHEREAS, the bids ranged from the low bid of \$43,941.00 to the high bid of \$47,584.08; and

WHEREAS, the low bid of \$43,941.00 was received from Hoffman International, Inc. of Piscataway, New Jersey; and

WHEREAS, funds are available to award the bid; and

WHEREAS, the Chief Financial Officer has provided a certification of availability of funds to award the bid, as evidenced on the attached copy of Purchase Order #15-00772;

NOW, THEREFORE BE IT RESOLVED by the Mayor and Council of the Borough of Rumson that they hereby accept the lowest responsive bid of Hoffman International, Inc., 300 South Randolphville Road, Piscataway, NJ 08854 for one (1) new 2015 JCB 8045 ZTS Mini Excavator in accordance with the prescribed specifications in the amount of \$43,941.00; and

BE IT FURTHER RESOLVED that the Mayor and Municipal Clerk/Administrator are hereby authorized to execute the contract documents to be prepared by the Borough Attorney; and

BE IT FURTHER RESOLVED that a certified copy of this Resolution be forwarded to the Chief Financial Officer.

Resolution seconded by Councilwoman Atwell and carried on the following roll call vote:

In the affirmative: Atwell, Broderick, Conklin, Day and Rubin.

In the negative: None.

Absent: Hemphill.

## **RESOLUTION 2015-0512-78 AUTHORIZING THE REFUND OF THE CASH BONDS FOR STREET OPENING PERMITS 20/2015 AND 40/2015:**

### **2015-0512-78**

Councilman Rubin offered the following resolution and moved its adoption:

## RESOLUTION

WHEREAS, Leanne Rizzotto, 62 Waterman Avenue, Rumson, NJ 07760 paid the required \$1,000.00 cash bond plus the \$100.00 application fee for Street Opening Permit Number 020/2015; and

WHEREAS, Craig Test Boring Co. Inc., 5435 Harding Hwy, Mays Landing, NJ 08330 paid the required \$1,000.00 cash bond for Street Opening Permit Number 40/2015; and

WHEREAS, Mark Wellner, Superintendent of Public Works, has inspected the projects listed above and has found them to be satisfactory and therefore recommends the release of the \$1,000.00 bonds;

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Rumson that Leanne Rizzotto, 62 Waterman Avenue, Rumson, NJ 07760 be issued a refund of the \$1,000.00 bond; and

BE IT FURTHER RESOLVED by the Mayor and Council of the Borough of Rumson that Craig Test Boring Co. Inc., 5435 Harding Hwy, Mays Landing, NJ 08330 be issued a refund of the \$1,000.00 bond; and

BE IT FURTHER RESOLVED that a certified copy of this Resolution be forwarded to the Borough Chief Financial Officer.

Resolution seconded by Councilman Broderick and carried on the following roll call vote:

In the affirmative: Atwell, Broderick, Conklin, Day and Rubin.

In the negative: None.

Absent: Hemphill.

**ANNOUNCEMENTS BY THE MAYOR:**

Mayor Ekdahl made the following Announcements:

- 1. The Borough’s Annual Memorial Day Parade and Service will be held on Memorial Day, Monday, May 25<sup>th</sup>. The parade will begin at 10:00 a.m. when the fire siren sounds. The parade route is from Blackpoint Road at Forrestdale School where participants line up, turning left onto East River Road to Victory Park on West River Road. The Borough’s Memorial Service at Victory Park will begin immediately following the parade.
- 2. There will be no garbage collection on Monday, May 25<sup>th</sup> Memorial Day. Anyone whose garbage day falls on Monday will have to wait until their next regular collection day (Thursday) for pick-up. Borough Hall will also be closed on Memorial Day.

Thank you for your cooperation and have a safe and enjoyable Memorial Day weekend.

**CONSIDERATION OF BILLS AND CLAIMS (RESOLUTION):**

Councilman Broderick offered the following resolution and moved its adoption:

\$	50.00	Monmouth County SPCA
\$	56.40	NJ Dept Health/Sr Services
\$	106.40	Animal Control Account
\$	3,290.00	LA Police Gear
\$	3,290.00	Capital Account
\$	312.00	Michael B Steib PA
\$	312.00	COAH Trust Fund
\$	500.00	Postmaster
\$	599.00	Jeffrey Nixon
\$	3,545.52	Allied Oil LLC
\$	800.00	Becker Tree Service
\$	48.00	Butch’s Auto Car Wash Inc
\$	378.62	Circle Chevrolet Inc
\$	2,315,654.47	Monmouth County Treasurer
\$	147,595.79	Monmouth County Treasurer (LIB)
\$	126,250.19	Monmouth County Treasurer (OS)
\$	2,415.00	Cross Over Networks
\$	4,095.36	Delta Dental of New Jersey Inc
\$	314.14	Detcon
\$	576.88	Direct Energy Business
\$	578.00	Edwards Tire Co Inc
\$	334.83	Fastenal Co
\$	131.88	F & C Automotive Supply Inc
\$	552.00	Glenco Supply Inc
\$	165.03	Helen L Graves
\$	200.00	Industrial/Marine Fabricators
\$	440.61	Industrial Chem Lab & Services
\$	1,339.35	JNM Holdings Inc
\$	273.94	Johnny on the Spot Inc
\$	1,607.20	John Deere Landscaping
\$	98.45	Kepwel Natural Spring Water

\$	2,178.00	Life Savers Inc
\$	583.00	MGL Printing Solutions
\$	192.29	Mid-Atlantic Truck Centre Inc
\$	17,683.41	Treasurer County of Monmouth
\$	58.58	Monmouth Truck Equipment
\$	881.28	Monmouth County Tax Admin
\$	67.52	Naylor's Auto Parts
\$	120.00	Nelson Press
\$	9,068.80	New Jersey American Water
\$	1,069.94	NJ Natural Gas Co
\$	659.00	NJ Gravel & Sand Co
\$	210.00	NJ Municipal Mgmt Assoc Inc
\$	110.00	NJ State League of Municipalities
\$	89,192.99	State of NJ Pensions/Active
\$	42,576.84	State of NJ Pensions/Retiree
\$	193.78	PEP Express Parts
\$	90.00	Professional Gov't Educators
\$	1,252.44	Republic Services of NJ LLC
\$	1,845.41	Reussille Law Firm LLC
\$	1,839,456.84	Rumson Elementary School Dist
\$	1,629,015.92	RFH Regional High School
\$	6.00	Robert Savoth
\$	671.24	Snap On Industrial
\$	500.00	State Shorthand Reporting Serv
\$	52.70	NJ Advance Media
\$	1,809.25	Michael B Steib PA
\$	45.26	The Two River Times
\$	359.45	VE Ralph & Son
\$	250.00	VNA of Central Jersey
\$	79.73	George Wall Lincoln
\$	2,319.75	Warshauer Electric Supply
\$	1,471.95	ZEP Sales & Service
\$	12,754.25	Monmouth County Regional
\$	190,007.61	Monmouth Municipal JIF
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\$	6,455,328.49	Current Fund
\$	574.58	Athlete's Alley
\$	180.00	Christine Brody
\$	120.00	Joe Hadfield
\$	59.70	Sarah Orsay
\$	300.00	Patricia A Pagano
\$	120.00	Casey Weldon
\$	120.00	Robert E Woods
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\$	1,474.28	Recreation Account
\$	546.00	Michael B Steib PA
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\$	546.00	Trust Account
\$	9,630.99	NJ Department of Labor
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\$	9,630.99	Unemployment Account
\$	2,897.00	Current Fund Appropriations
\$	6,452,431.49	Current Fund Appropriations
\$	106.40	Animal Control Fund Expenses
\$	3,290.00	Capital Fund Disbursements
\$	1,474.28	Recreation Disbursements
\$	858.00	Trust Fund – Other Expenses
\$	9,630.99	Unemployment Disbursements
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\$	6,470,688.16	Total Of All Funds

Resolution seconded by Councilman Rubin and carried on the following roll call vote:

In the affirmative: Atwell, Broderick, Conklin, Day and Rubin.



In the negative: None.

Absent: Hemphill.

**COMMENTS FROM THE COUNCIL:**

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The Mayor afforded the members of the Council an opportunity to be heard at this time and no one responded.

**COMMENTS FROM THE PUBLIC:**

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The Mayor afforded the public an opportunity to be heard at this time and no one responded.

**ADJOURNMENT:**

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On motion by Councilman Rubin, seconded by Councilman Broderick, the meeting adjourned at 7:38 p.m. All in favor.

Respectfully submitted,

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Thomas S. Rogers, R.M.C.  
Municipal Clerk/Administrator